

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

AUTHORS GUILD, *et al.*, individually and on behalf of others similarly situated,

Plaintiffs,

v.

OPENAI INC., OPENAI OPCO LLC, OPENAI GP LLC, OPENAI LLC, OPENAI GLOBAL LLC, OAI CORPORATION LLC, OPENAI HOLDINGS LLC, OPENAI STARTUP FUND I LP, OPENAI STARTUP FUND GP I LLC, OPENAI STARTUP FUND MANAGEMENT LLC, and MICROSOFT CORPORATION,

Defendants.

Case No. 1:23-cv-08292-SHS

JONATHAN ALTER, *et al.*, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

OPENAI, INC., OPENAI GP, LLC, OPENAI, LLC, OPENAI OPCO LLC, OPENAI GLOBAL LLC, OAI CORPORATION, LLC, OPENAI HOLDINGS, LLC, and MICROSOFT CORPORATION,

Defendants.

Case No. 1:23-cv-10211-SHS

**PLAINTIFFS' MOTION FOR LEAVE TO FILE UNDER SEAL**

Pursuant to Your Honor's Individual Rules and Practices 5(B), Plaintiffs seek leave to file their letter motion to compel the production of documents from the OpenAI Defendants under seal. The motion attaches and refers to the contents of a March 22, 2024 letter from OpenAI's counsel regarding discovery. The motion also refers to information related to an ongoing government investigation of OpenAI.

OpenAI has designated the contents of their letter and the information related to this

investigation as highly confidential and for attorneys' eyes only. Plaintiffs dispute this confidentiality designation. In Plaintiffs' view, none of this information meets the standard of confidential, let alone highly confidential. As such, in Plaintiffs' view, none of it should be subject to sealing. However, in accordance with Defendants' designation, Plaintiffs' respectfully request leave to file their letter motion to compel under seal.

Dated: April 12, 2024

Respectfully submitted,

/s/ Rachel Geman

Rachel Geman  
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP  
250 Hudson Street, 8th Floor  
New York, NY 10013-1413  
Telephone: 212.355.9500  
rgeman@lchb.com

Reilly T. Stoler (*pro hac vice forth coming*)  
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP  
275 Battery Street, 29th Floor  
San Francisco, CA 94111-3339  
Telephone: 415.956.1000  
rstoler@lchb.com

Wesley Dozier (*pro hac vice*)  
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP  
222 2nd Avenue, Suite 1640  
Nashville, TN 37201  
Telephone: 615.313.9000  
wdozier@lchb.com

/s/ Justin Nelson

Justin A. Nelson (*pro hac vice*)  
Alejandra C. Salinas (*pro hac vice*)  
SUSMAN GODFREY L.L.P.  
1000 Louisiana Street, Suite 5100  
Houston, TX 77002  
Telephone: 713-651-9366  
jnelson@susmangodfrey.com  
asalinas@susmangodfrey.com

Rohit D. Nath (*pro hac vice*)  
SUSMAN GODFREY L.L.P.  
1900 Avenue of the Stars, Suite 1400  
Los Angeles, California 90067  
Telephone: 310-789-3100  
rnath@susmangodfrey.com

J. Craig Smyser  
SUSMAN GODFREY L.L.P.  
1901 Avenue of the Americas, 32nd Floor  
New York, New York 10019  
Telephone: 212-336-8330  
csmyser@susmangodfrey.com

/s/ Scott Sholder  
Scott J. Sholder  
CeCe M. Cole  
COWAN DEBAETS ABRAHAMS & SHEPPARD LLP  
41 Madison Avenue, 38th Floor  
New York, New York 10010  
Telephone: 212.974.7474  
ssholder@cdas.com  
ccole@cdas.com

*Attorneys for Plaintiffs and the Proposed Classes*

**PROOF OF SERVICE VIA ECF**

On April 12, 2024, I caused to be served the following document on all counsel of record via ECF.

**PLAINTIFFS' MOTION FOR LEAVE TO FILE UNDER SEAL**

/s/ Wesley Dozier

Wesley Dozier